



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUG 19 2004

Mr. John H. Gross
Treasurer
Friends of Giuliani Exploratory Committee
575 8th Avenue - 24th Floor
New York, NY 10018

Re: MUR 5279

Dear Mr. Gross:

On June 22, 2004, the Federal Election Commission entered into a conciliation agreement with Charles Kushner and 40 Associated Partnerships regarding over \$500,000 in improper federal political contributions. These contributions, some of which were made to your Committee, violated Commission partnership contribution regulations because the partnership failed to obtain the agreement of the partners to whom the contributions were attributed, pursuant to 11 C.F.R. § 110.1(e)(2). The contributions found to be in violation were made between December 5, 1997 and August 17, 2000 for the 1999-2000 election cycle. *See Attached List.*

Friends of Giuliani Exploratory Committee was not a respondent in this matter. The Commission reminds you, however, that the treasurer of a political committee is responsible for examining all contributions received by the political committee for evidence of legality. 11 C.F.R. § 103.3(b). Contributions that present genuine questions as to whether they were made by legal sources may be deposited into a campaign depository or returned to the contributor. If any such contribution is deposited, the treasurer shall make his or her best efforts to determine the legality of the contribution. 11 C.F.R. § 103.3(b)(1). If the treasurer determines that at the time a contribution was received and deposited, it did not appear to be illegal, but later discovers that it is illegal based on new evidence not available to the political committee at the time of receipt and deposit, the treasurer shall refund or disgorge the contribution within thirty days of the date on which the illegality was discovered. 11 C.F.R. § 103.3(b)(2). *See AO 1996-5.*

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Kathleen Dutt

Kathleen Dutt
Attorney

Enclosure
Contributor's List

Friends of Giuliani Exploratory Committee

Contributor	Partnership/LLC	Date	Recipient Committee	Amount
Ages, Abby Jo	Sparta Building Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
Gebroe, Melvin	Sparta Building Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Sixty Six West Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$2,000
	Sixty Six West Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Gellert, Barbara	Bruckner Plaza Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Bruckner Plaza Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Gellert, George	135 Montgomery Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	135 Montgomery Apts Assoc	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Gladstone, Stuart	East Brunswick Corporate Center	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	East Brunswick Corporate Center	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Hammer, Alan	836 Avenue Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	836 Avenue Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kaplowitz, Seth	Montgomery Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Montgomery Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kushner, Dara	30 Florham Associates, LLC	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kushner, Jonathan	Jumping Brook Associates LLC	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kushner, Murray	Reike LP	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kushner, Nicole	Leonardine Associates LLC	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Kushner, Rae	Oakwood Garden Developers	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Oakwood Garden Developers	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Laulicht, Linda	Constantine Village Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Constantine Village Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Laulicht, Shellie	BP Developers LP	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	BP Developers LP	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Saland, Heywood	Randolph Building Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Randolph Building Associates LP	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Scheiner, Mel	Glen Ellen Associates LP	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
Schenkman, Eugene	Alton Place Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Schenkman, Mark	Long Brook Associates LLC	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Schuler, Esther	Colfax Manor Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Colfax Manor Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Schulder, Ruth	Elmwood V. Associates LP	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000
	Elmwood V. Associates LP	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
Silverman, Steven	176 Milburn Associates	12/29/1999	Friends of Giuliani Exploratory Committee	\$1,000
	176 Milburn Associates	3/31/1999	Friends of Giuliani Exploratory Committee	\$1,000